

# **Draft Environmental Assessment**

## **Blackleaf Wildlife Management Area Addition**



**February 2014**



***Montana Fish,  
Wildlife & Parks***

# **Draft Environmental Assessment CHECKLIST**

## **PART I. PROPOSED ACTION DESCRIPTION**

### **1. Type of proposed state action:**

Montana Fish, Wildlife and Parks (FWP) proposes to purchase in fee title approximately 320 acres of timbered grasslands and wetland habitat west of Bynum, Montana, for addition to the existing 10,397-acre Blackleaf Wildlife Management Area (WMA). The purchase and management of this property would protect important year-round grizzly bear habitat, as well as winter range for elk and mule deer.

The property is within Rocky Mountain Grizzly Bear Management Area of the Northern Continental Divide Ecosystem (NCDE). The NCDE is a designated recovery zone for grizzlies by the US Fish and Wildlife Service (USFWS 1993) and important monitoring area for the species. As of 2013, there are approximately 250 grizzlies residing and using the Rocky Mountain Front area, of which 20-30 annually use the WMA for forage, breeding, and a movement corridor to adjacent areas.

### **2. Agency authority for the proposed action:**

Montana Fish, Wildlife and Parks has the authority under state law (§ 87-1-201, Montana Code Annotated (MCA)) to protect, enhance, and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future, and to acquire land for this purpose (§ 87-1-209 MCA).

### **3. Name, address and phone number of project sponsor (if other than the agency):**

None

### **4. Anticipated Schedule:**

Public Comment Period: February 7 - March 8, 2014

Decision Notice Published: mid- March

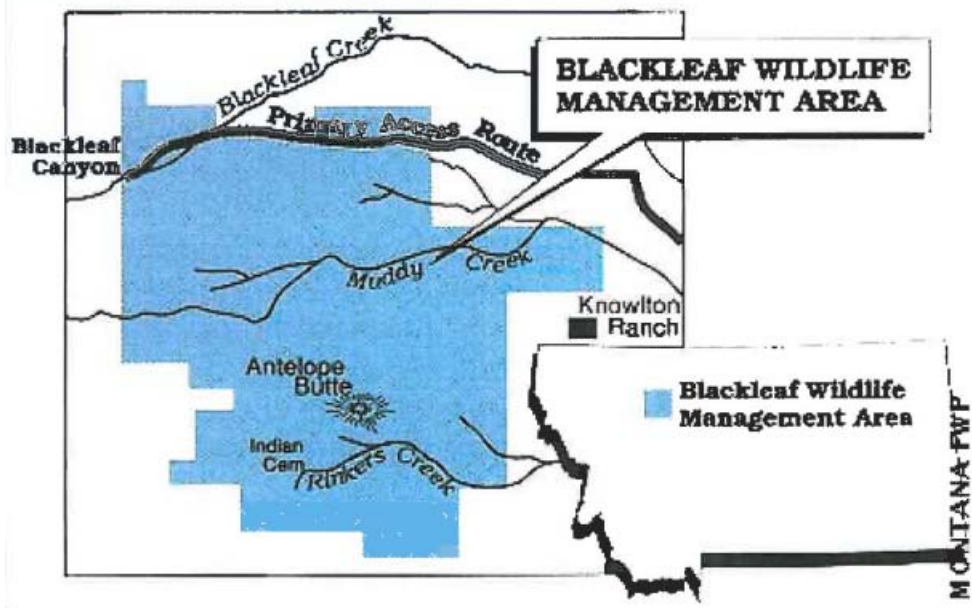
Reviewed by FWP Fish and Wildlife Commission: April 2014

Reviewed by Montana Board of Land Commissioners: April 2014

### **5. Location affected by proposed action:**

Blackleaf WMA and the proposed acquisition are located in FWP Administrative Region 4 in Teton County. The target property is approximately 14 miles west of the community of Bynum; T26N, R8W. A map of the target property in relation to the WMA is attached as Appendix A.

Figures 1 and 2. Location Maps of Blackleaf WMA



6. Estimated project size:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
		Irrigated cropland	<u>0</u>
(b) Open Space/	<u>0</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>11</u>	Rangeland	<u>309</u>
Areas		Other	<u>0</u>

## 8. Permits, Funding & Overlapping Jurisdiction.

(a) **Permits:** none required

(b) **Funding:**

FWP has received a Section 6 ESA Non-Traditional Program grant through the US Fish and Wildlife Service to assist in the purchase of the target property. In using the federal grant funds, FWP would be required to provide state or private match of 40% of the total project's cost. This property (approx. 320 acres) is owned by The Conservation Fund who would sell it to FWP for the amount of the grant and has agreed to donate the difference in appraised land value beyond the grant amount, which would be used to meet the grant program's match requirement.

As of the time of this assessment, the results of a contracted property appraisal are still pending. Based on the grant program and federal aid match requirements, the 60% federal grant cap is \$392,007 and total cost of the acquisition must equal or exceed \$653,345. The USFWS grant is specific to native species habitat conservation. The federal grant amount must not exceed 60% of the total acquisition value. The balance of the acquisition cost would be provided by The Conservation Fund as match for the grant. The final cost of acquisition will be disclosed in the decision notice.

(c) **Other Overlapping Jurisdictional Responsibilities:**

<u>Agency Name:</u>	<u>Type of Responsibility</u>
FWP Fish & Wildlife Commission	purchase approval
Montana State Land Board	purchase approval
State Historic Preservation Office	cultural & historic resources
Teton County Weed District	weed inventory
US Fish & Wildlife Service	threatened/endangered species

## 9. Narrative summary of the proposed action:

Montana Fish, Wildlife and Parks (FWP) proposes to purchase by fee title approximately 320 acres of timbered grasslands and riparian habitat west of Bynum, Montana, for addition to the existing 10,397-acre Blackleaf WMA.

### Features

The majority of the property consists of timbered intermountain grassland (approx. 309 acres) with the remaining 11 acres classified as riparian. Prior to 2013, the property was used to graze cattle when it was under private ownership. Since the property's purchase by The Conservation Fund in 2013, no grazing has occurred.

Figure 3. Photo of typical landscape at target property



Since the property was in private ownership, no vegetation survey has been completed. However, FWP anticipates many of the species found on the WMA would be located on the target property which would include bluebunch wheatgrass, Idaho and rough fescue, various sedges, timothy, balsam-root, limber pine, prairie smoke, sincaphoil/potentilla, shooting star, and a variety of willow species and birch along Muddy Creek. See Appendix B for a complete list of plant species reported at the WMA.

The north fork of Muddy Creek travels through the southwestern portion of property, providing water to associated wetland vegetation. This portion of the creek is classified as ephemeral by FWP Fisheries staff and does not support an active fishery. An unused, unnamed irrigation ditch that was part of the historic Bynum Irrigation District (est. 1925) also crosses through the southern half of the property (Montana State Engineer's Office 1962). No water rights are associated with the target property.

There are no structures on the property. The property's boundary is marked on all sides by barbed wire fencing and was surveyed prior to the purchase by The Conservation Fund. Blackleaf Road runs adjacent to the northern boundary of the property and Knowlton Road intersects it as well; both are County roads (See Appendix A for property map). Access to the eastern portion of the property is through an existing gate on the Knowlton Road. The western portion of the property is un-fenced adjacent to Knowlton Road.

#### Wildlife Values

The target property is expected to support similar resident and transient wildlife species as the WMA does. Species of special designation (e.g. threatened, endangered, and state species of concern) observed nearby or on the WMA included grizzly bear, Canadian lynx, gray wolf, golden eagle, Alder flycatcher, Clark's nutcracker, McCown's larkspur, long-billed curlew, hoary bat, fringed myotis, pygmy shrew, and Western Toad.

The WMA is used by grizzly bears year-round, with the heaviest use during the spring when grizzlies forage along the creeks for sustenance after hibernation. It was estimated in 1990 (Olson 1990) that 6-10 grizzlies use the WMA. As of 2013, the number of grizzlies using the WMA annually has increased to 20-30 (pers. communication M. Madel, FWP Grizzly Bear Specialist, 1/15/14) because the foothills and grasslands support a diverse variety of vegetation that the bears feed in different seasons. The WMA is a unique place for grizzlies as it is used as a meeting location for mature bears during the breeding season. Based on observations by FWP's area grizzly bear specialist, the fens of the target property are periodically used as bedding areas by grizzlies.

Canada lynx have been reported 2 miles north of the target property but there have been no observations of the species in the area since 1988.

The Bennie wolf pack's range includes the WMA north to Heart Butte on the Blackfeet Reservation. As of the end of 2013, the pack is thought to have 4 members. Other wolf observations and wolves that use the area as they move from north to south along the Rocky Mountain Front are periodically found on the WMA.

Large mammals that are known to frequent the WMA include: elk, mule deer, white-tailed deer, bighorn sheep, black bear, wolves, and mountain lion. Small mammals include: bobcat, badger, coyote, rabbits, jackrabbits, various species of ground squirrels, various bat and small mammal species. Numerous avian species also frequent the WMA, such as a variety of grouse species, game birds (sharp-tailed grouse, ruffed grouse), song birds, owls (short-eared, great gray, western screech, northern saw-whet) and raptors (golden eagle, northern harrier, prairie falcon, red-tailed hawk).

The WMA is important winter range for elk and mule deer. Current surveys indicate that approximately 650 elk winter along the Rocky Mountain Front in HD 441 on private and public lands. Roughly 100 bull elk winter primarily on the WMA. Cow calf groups often exceeding 150 animals frequent the WMA during winter. Over 100 mule deer winter on the WMA as well.

#### Recreational Access

Similar to the WMA, the property would be open to hiking, horseback riding, wildlife viewing, limited camping, and hunting as allowed under FWP hunting regulations. Mule deer, elk, sharp-tailed grouse, black bear, and waterfowl are commonly hunted in the local area.

The target property is accessible from Blackleaf and Knowlton Roads; both gravel county roads, which is also the current main access road for Elk Island WMA and FAS. Keeping with public access to WMA, the property would be open to walk-in access from May 16 through November 30.

#### Management Under FWP Ownership

Management of the property would be under the guidance of the 1990 Blackleaf WMA Management Plan. General rules governing the WMA are:

- 1) Motorized vehicles must stay on designated roads.

- 2) WMA is open to day-use only, except in designated camping areas.
- 3) There are mandatory food storage requirements because of the presence of grizzly bears.
- 4) Horses not in use must be tied. Weed-free hay is required.
- 5) Use of fireworks is prohibited.
- 6) Trapping by permit only.
- 7) Pack in/pack out all garbage.
- 8) Limited commercial use within the WMA. See Appendix E for the Blackleaf WMA Commercial Use Restrictions Policy.
- 9) Seasonal closure of the WMA is December 2 – May 15 annually.

There are no immediate plans to implement vegetation restoration activities. Wetlands and timbered grasslands would be left in their current state to recover naturally from previous land uses for at least three years, at which time FWP would consider including the property in the WMA's rest-rotation grazing program.

The management goals for the proposed acquisition are:

- To manage for highly productive, diverse vegetative communities that will provide quality forage and cover for native wildlife species.
- To provide for public access for recreational activities consistent with the protection and conservation of habitat and wildlife species.

## **10. Description and analysis of reasonable alternatives:**

### **Alternative A: No Action**

Under the No Action Alternative, FWP would not purchase the property. The Conservation Fund would likely search for another buyer.

Depending on the desires of a new owner(s) habitat and wildlife values of the property may change if there is a change in land use or if subdivision occurs. Public access to the property may decrease if land uses change as well. Recent changes in land use in the vicinity indicate subdivision is a possibility this parcel. Within the last 10 years, a nearby ranch along Blackleaf Road was sold and subdivided into ranchettes.

Anticipating and analyzing potential impacts to the property's current attributes is very difficult to predict at this time because the intentions of a new owner(s) are unknown.

### **Alternative B: Proposed Action**

FWP proposes to purchase approximately 320 acres to manage in concert with the adjacent Blackleaf WMA for the protection of important year-round grizzly bear habitat. Additionally, the proposed acquisition would also protect wetland vegetation and intermountain grassland ecosystems that are important to a diverse community of other wildlife.

Acquisition of this property would be consistent with the goals of FWP's 2005 Montana

Comprehensive Fish & Wildlife Conservation Strategy (CFWCS) to conserve the Tier One Ecotype of Intermountain Grasslands. The tier one designation identifies an ecotype a focus area of “greatest conservation need” because the landscape contains significant fish and wildlife communities in a specific geographic area. At a finer scale, the property also includes two important community type identified in the CFWCS in need of conservation: Grassland Complex and Riparian/Wetland.

**Alternative Eliminated from Further Analysis:**

**Conservation Easement** - An alternative to purchasing fee-title ownership would be to purchase a conservation easement on the property. The Conservation Fund, however, is not interested in pursuing this option, thus a detailed discussion of this alternative was not analyzed.

**11. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

The conservation and protection of threatened and endangered species, such as the grizzly bear and Canada lynx, are under the jurisdiction of the US Fish and Wildlife Service under the 1973 Endangered Species Act.

Also see 8 (c).



## **PART II. ENVIRONMENTAL REVIEW CHECKLIST**

**Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.**

### **A. PHYSICAL ENVIRONMENT**

1. <b><u>LAND RESOURCES</u></b>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

The proposed FWP acquisition would likely offer positive impacts to soil stability due to the intent to avoid disturbances to the land resources for at least three years to allow the natural recovery of vegetation (grasslands and wetland) to occur. No changes are anticipated that would alter soil stability, unique geologic or physical features, or expose people or property to a variety of ground failures. Surface mining for removal of gravel or other minerals would not be permitted, which is consistent with the prohibition of such activities within the WMA.

Ownership of mineral rights on the property is unknown. Mixed ownership of subsurface right does currently exist on the WMA, and most likely occurs on the property. A review of the economic mineral potential for the property indicates the potential for surface disturbance from extraction of metallic ores, coal, or gravel/sand/aggregate is so remote as to be negligible. Oil and gas exploration has occurred in the vicinity, but the property is not located in an area with high potential for oil or gas development (Overthrust Belt). Exploration for oil and gas could become a possibility if there was a significant increase in the price of oil and gas, and most likely in the Overthrust Belt before exploration would occur on the property (Griffith Env't. Consulting, Inc., 2014). In the event of future development, surface reclamation of exploration or development sites is required by the Montana Board of Oil and Gas.

2. <b><u>AIR</u></b>  Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				

d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regulations? (Also see 2a.)		X				

The ambient air quality of the property would not change if the proposed acquisition were approved since motorized access to the interior of the property would be prohibited and no development activities on the property are planned.

3. <u>WATER</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				3i
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		X				3l
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				

FWP acquisition of the property and management as a WMA would have no effect on existing quality, quantity or flooding of natural surface waters or groundwater.

3i. No water rights would be affected by the proposed acquisition. A search of the Montana Department of Natural Resources and Conservation water rights data base did not locate any water rights (active or expired) attached to target property. However, the property does include an unnamed irrigation ditch that was within the historic Bynum Irrigation District (est. 1925) that may have had water right associated with

it. There is an abandoned well located adjacent to an old homesite in the northeast portion of the property, but no water rights are filed on the well. Any water rights associated with the property would be transferred to FWP if the acquisition was completed.

3l.The proposed acquisition would not impact a designated floodplain. A portion of the north fork of Muddy Creek does traverse the southern portion of the target property is considered ephemeral (seasonal flows). FEMA Flood Insurance Rate Maps (numbers 3001680075B & 3001680050B) are not available or in print. Paul Wick of Teton County determined that section in which the project property is located has no designated floodplain and is classified as D, “areas of undetermined, but possible, flood hazards” after reviewing an adjacent FEMA map that showed the floodplain for Muddy Creek (P. Wick, Teton County, personal comm. 1/17/14).

4. <b><u>VEGETATION</u></b>  Will the proposed action result in?	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				4a
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?					Y	4e
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				4f

4a.The proposed action is expected to have a positive impact on existing vegetation under FWP management the property would be managed consistent with the practiced implemented for the benefit of wildlife species. Changes to the abundance of existing plant species over time as plant recover from historic uses and grazing.

4c.There are no reported observations of sensitive plant species (threatened, endangered, or state species of concern) within the target property boundary. There two state plant species of concern nearby (within 0.5 mile) to the property: autumn willow and Rolland’s bulrush. Neither species would be impacted by the proposed action.

4e.The proposed addition would be managed as part of the Blackleaf WMA and would be under the same weed control plan as the WMA. The proposed acquisition would not induce the expansion of noxious weeds in the area. Presently, there are small infestations of spotted knapweed and Canadian thistle along the county roads. If the acquisition is approved, FWP would initiate the FWP’s Statewide Integrated Noxious Weed Management Plan using an integrated approach to control noxious weeds on the property by using chemical, biological and mechanical methods. The implementation of these weed management methods at the property would be reviewed by the Teton County Weed District.

4f. Wetlands – FWP anticipates the proposed acquisition would be beneficial to the existing wetland areas within the property. The riparian/wetlands areas would not be subjected to continuous grazing pressure by cattle and permitted to recover from past land uses. There are currently approximately 11 acres of

freshwater forested/shrub and freshwater emergent wetlands primarily along Muddy Creek (USFWS National Wetlands database).

Farmlands – A review of US Department of Agriculture’s Soil Survey database indicated there are no designated prime or unique farmlands within the target property’s boundaries.

5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				5a
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X			Y	5e
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X		Y	5g
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				5h
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				

5a. The proposed acquisition would protect important grizzly bear habitat for spring to early summer, and fall habitat as well as black bears, elk, mule deer, and multitude of bird and small mammal species.

5e. The proposed acquisition would not create a barrier to the migration or movement of wildlife. Boundary fencing current exists around the property. If existing fencing interferes with wildlife movements, FWP may replace or redesign the existing fencing to a wildlife-friendly design for the benefit wildlife. The increased size of the WMA and a larger landscape with cohesive management practices would promote connectivity between wildlife habitats fewer barriers to wildlife movement.

5f/h. The proposed acquisition may have a positive impact on threatened, endangered, and state species of concern wildlife through the protection of important seasonal and year-round habitat. Other game and nongame species would also benefit by the protection of timbered grasslands and riparian habitats for forage, nesting, and general habitat. The project property would be managed under the current Blackleaf WMA Management Plan that balances the needs of wildlife with public access. Allowable recreational activities on the property would be consistent with the management of the WMA for the conservation and protection of wildlife.

The management of grizzly bears throughout the WMA would continue to be guided by FWP’s 2006 Grizzly Bear Management Plan for Western Montana which was developed in cooperation with the U.S.

Fish and Wildlife Service, the U.S. Forest Service, National Parks Service, Bureau of Land Management, Blackfeet Tribe and Confederated Salish and Kootenai tribes.

Although Canada lynx have been reported north of the target property (2 miles north), it is unlikely the proposed action would have any impacts to lynx since it lacks the lynx's preferred subalpine boreal forest habitat and there have been no observations of the species in the area since 1988 (MT Natural Heritage Species Tracker database).

5g. The target property would be managed under the guidance of the Blackleaf WMA Management Plan (1990). As such, hunting of antelope, elk, and deer would be permitted on the property as it does within the WMA. The proposed acquisition is not expected to increase conditions that stress wildlife populations since limited hunting was permitted under previous ownership. Hunter harvest of game animals does not limit the abundance of game animals because season structures and bag limits are set at sustainable levels to maintain wildlife populations annually by FWP's Fish and Wildlife Commission.

## B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

Purchase of the property would not increase noise above levels currently experienced in the area. Access on the property would be walk-in only and hunting is a traditional and common activity in the area and would not be considered a severe or nuisance noise levels.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				7a
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				

Management of the property would be absorbed into the existing Blackleaf WMA, thus no conflicts are anticipated due to similar existing management on these adjacent lands. FWP would continue to work to manage use on the WMA in ways that minimizes conflicts with neighboring landowners.

7a. Traditional use of the property included growing season-long livestock grazing. Following an anticipated period of 3 years rest, the property would be incorporated into the current WMA grazing plan utilizing existing lessee's contract.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Y	8a
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
		X				

c. Creation of any human health hazard or potential hazard?						
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)			X		Y	8d

No human health hazards are anticipated by the proposed acquisition.

8a/d. If acquired, FWP would implement an integrated method of managing existing and new noxious weeds on the property. The use of herbicides would be in compliance with application guidelines and conducted by people trained in safe application techniques. Weeds may also be controlled using mechanical or biological means in certain areas to reduce the risk of chemical spills or water contamination.

9. <b>COMMUNITY IMPACT</b>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				

The proposed addition would have no effect on local communities, increase traffic hazards, or alter the distribution of population in the area. The closest community is 15 miles east (Bynum) and the nearest residence is approximately 1.5 miles east of the property.

10. <b>PUBLIC SERVICES/TAXES/UTILITIES</b>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				10a
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				10c
d. Will the proposed action result in increased use of any energy source?		X				10d

e. Define projected revenue sources		X				
f. Define projected maintenance costs.						10f

10a/c/d. The proposed action would have no impact on public services or utilities. Minimal services would be needed beyond what FWP staff is currently providing at Blackleaf WMA. FWP would be responsible for the following: site maintenance, weed control in cooperation with Teton County Weed District, fish & wildlife law enforcement, and litter pick up on the site. FWP enforcement staff currently patrol the existing WMA and would also patrol the additional land and continue to cooperate with local law enforcement as necessary.

10b. FWP is required by law to pay taxes in an amount equal to that of a private individual. FWP would continue to make the annual property tax payments (approximately \$209.00) based on the assessment provided by Teton County.

10f. Initial costs to maintain this property would be minimal and any ongoing costs would be covered by the WMA's existing operating budget. In an effort to educate the public of acceptable and prohibited uses on the property, FWP would install boundary signs as soon as possible if the acquisition were approved.

11. <u>AESTHETICS/RECREATION</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings?		X				
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		X				

11c. The proposed acquisition would expand the number of acres available to hunters and other visitors to the WMA for non-motorized recreation, which be a positive benefit for area recreational opportunities. The natural aesthetic values of the property would be protected from man-made disturbances and would add to the overall viewscape of the WMA.

Recreational activities currently allowed on the WMA, such as hunting, hiking, etc., would be permitted on the target property if the acquisition were approved.



12. <u>CULTURAL/HISTORICAL RESOURCES</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Destruction or alteration of any site, structure or object of prehistoric historic or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		X				12d

As described in the Blackleaf WMA Management Plan, historical use of the Blackleaf area by Native Americans is well known, but poorly documented. A battle between the Flathead and Piegan (Blackfoot) is said to have occurred in 1859 at a site south west of Antelope Butte, which is within the present-day WMA's boundaries. The first ranch in the area was established in the early 1890's and the Blackleaf School was built in 1898 with homesteading occupancy nearby occurring in the early 20<sup>th</sup> century.

The results of a State Historic Preservation Office (SHPO) file search requested by FWP found that a historic building foundation was located within the designated parcel. Although a recorded site has been identified, SHPO believes there is a low likelihood cultural properties will be impacted by the proposed acquisition as long as there will be no new ground disturbance or alteration to structures over fifty years. Therefore, SHPO feels that a recommendation for a cultural resource inventory is unwarranted at this time. However, should structures need to be altered or if cultural materials be inadvertently discovered during this project, SHPO requests to be contacted so that the site can be investigated. See Appendix D for the SHPO letter.

### SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>  Will the proposed action, considered as a whole:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				13a
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				

f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				13f
g. For P-R/D-J, list any federal or state permits required.		X				

13a. The proposed acquisition is expected to have no significant negative cumulative effects on the physical and human environments. Rather, purchasing the property would be a positive contribution to the habitat conservation efforts along the Rocky Mountain Front. As of 2013, state, federal, and non-profit organizations have protected over 300,000 acres, through fee title acquisitions or conservation easements, along the Rocky Mountain Front from State Highway 200 north to Dupuyer MT. The protection of these acres provide connectivity between habitats for numerous species, as well as the conservation of important vegetation communities that provides forage and cover for grizzly bears and numerous other species.

13f. No public controversy is expected to be generated by the proposed acquisition.

### **PART III. NARRATIVE EVALUATION AND COMMENT**

The proposed acquisition would allow FWP to conserve wildlife habitat and provide public access to hunters and recreationists in perpetuity. Important seasonal habitat for the grizzly bear would be protected, as well as important winter range for elk and mule deer.

### **PART IV. PUBLIC PARTICIPATION**

#### **1. Public involvement:**

The public will be notified in the following manners to comment on this current EA:

- Two public notices in each of these papers: Great Falls *Tribune* and Choteau *Acantha*;
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

Copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

#### **2. Duration of comment period:**

The public comment period will extend for (30) thirty days following the publication of the second legal notice in area newspapers. Written comments will be accepted until 5:00 p.m., March 8, 2014 and can be mailed or emailed to the addresses below:

Blackleaf WMA Addition  
Montana Fish, Wildlife & Parks  
514 S Front St., Suite C  
Conrad, MT 59425                      or                      [rrauscher.fwp@gmail.com](mailto:rrauscher.fwp@gmail.com)

### **PART V. EA PREPARATION**

#### **1. Based on the significance criteria evaluated in this EA, is an EIS required? No If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

No, an EIS is not required. Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment, no significant impacts from the proposed land acquisition were identified. In determining the significance of the impacts of the proposed project, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the importance to the state and to society of the environmental resource or value affected; any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws.

As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

**2. Persons responsible for preparing the EA:**

Rebecca Cooper, FWP MEPA Coordinator, Helena MT  
Ryan Rauscher, FWP Wildlife Biologist, Conrad MT

**3. List of agencies or offices consulted during preparation of the EA:**

Montana Fish, Wildlife & Parks:  
    Fisheries, Conrad MT  
    Lands, Helena MT  
    Wildlife, Choteau and Conrad MT  
Montana Natural Heritage Program, Helena MT  
Montana State Historic Preservation Office, Helena MT  
Teton County Weed Department, Choteau MT

**Citations**

Griffith Environmental Consulting 2014. Economic Mineral Potential for the Blackleaf Area Land Purchase in Teton Co., MT. Unpublished study of the mineral potential of the Blackleaf WMA Addition.

Montana Fish, Wildlife and Parks. 2005. Montana's Comprehensive Fish & Wildlife Conservation Strategy. Helena MT

Montana Fish, Wildlife and Parks. 2006. Grizzly Bear Management Plan for Western Montana. Helena MT.

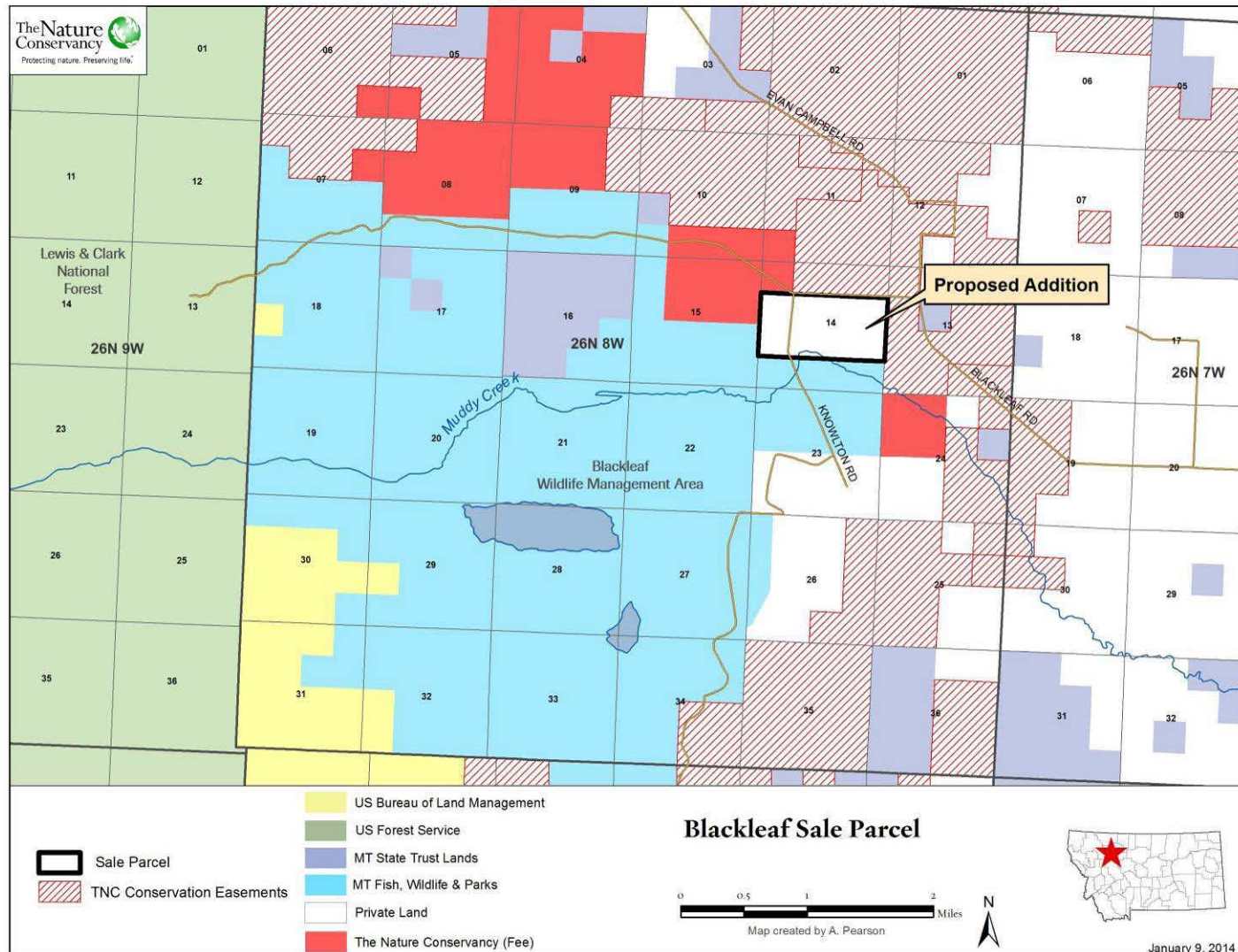
Montana State Engineer's Office. 1962. Water Resources Survey – Teton County. Helena MT

Olsen, Gary and Trowbridge, Ida. 1990. Blackleaf Wildlife Management Area Management Plan. Montana Fish, Wildlife and Parks. Conrad MT

U.S. Fish and Wildlife Service. 1993. Grizzly Bear Recovery Plan. Bethesda, MD

## APPENDIX A

### Location of the Proposed Addition



## APPENDIX B

### Commonly Occurring Plant Species List – Blackleaf WMA (1979-2009)

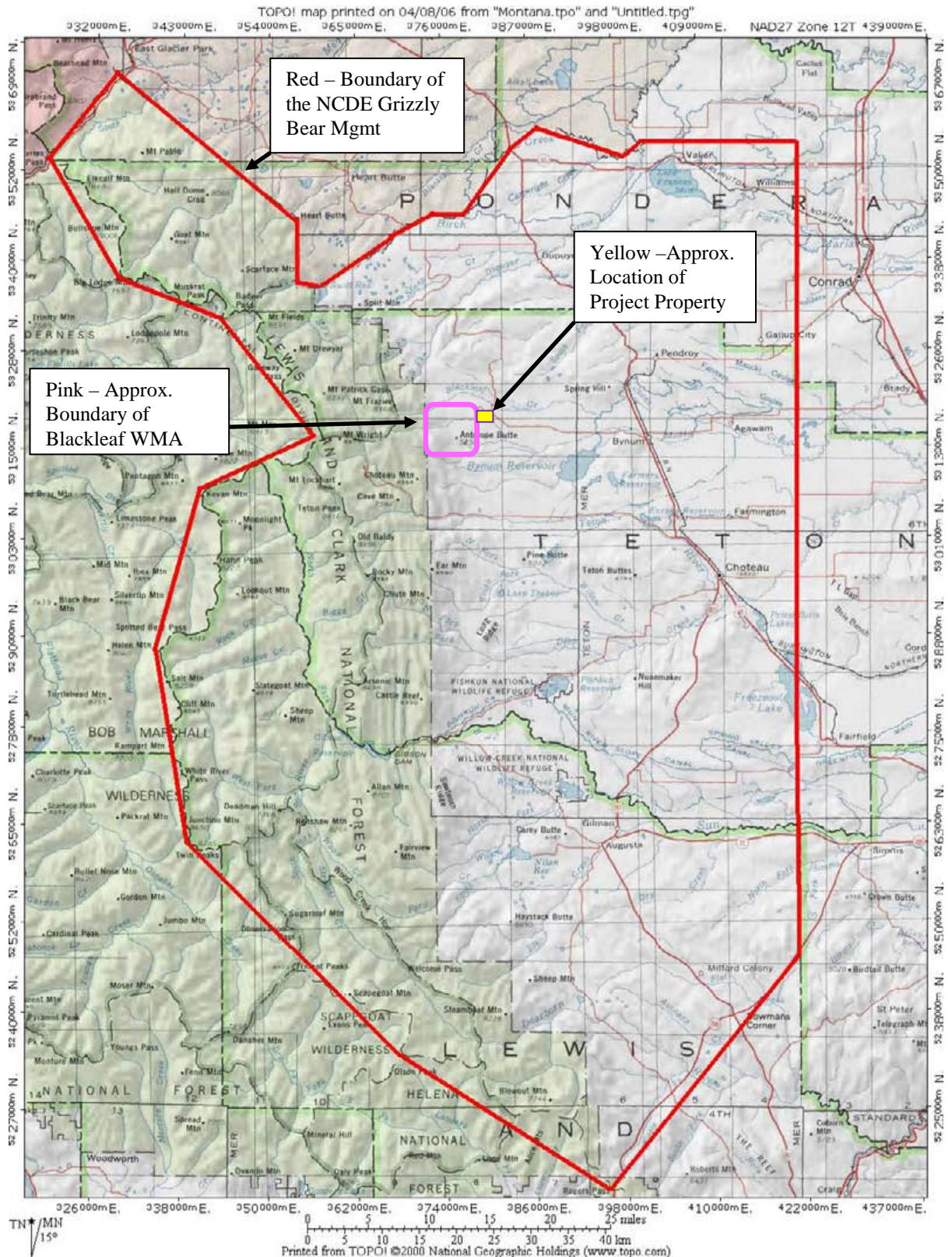
Common Name	Genus/species		Common Name	Genus/species
<b>Grasses</b>			fairy candelabra	Androsace septentrionalis
bluebunch wheatgrass	Agropyron spicatum		false dandelion	Agoseris spp.
bluegrass	Poa spp		fringed sagewort	Artemesia frigida
Hooker's oat grass	Helictotrichon hookeri		fuzzy daisy	Erigeron caespitosus
Idaho fescue	Festuca Idahoensis		gentian	Gentiana spp.
needle grasses	Stipa spp.		geranuim	Geranium spp.
Parry oatgrass	Danthonia parryi		goatsbeard	Tragopogon dubius
plains reed grass	Calamogrostis montanensis		golden bean	Thermopsis rhombifolia
prairie junegrass	Koeleria cristata		goldenrod	Solidago multiradiata
rough fescue	Festuca scabrella		hairy gold aster	Chrysopsis villosa
sedges	Carex spp.		hawksbeard	Crepis spp.
threadleaf sedge	Carex filifolia		hedysarum	Hedysarum spp.
			horizontal juniper	Juniperus horizontalis
<b>Forbs/Shrubs</b>			Indian paint-brush	Castelleja spp.
3 leaf daisy	Erigeron compositus		kitten tail	Besseyia wyomingensis
alpine forget me not	Erithrichium elongatum		limber pine	Pinus flexilis
American vetch	Vicia americana		littleleaf alumroot	Heuchera parvifolia
arnica	Arnica spp.		loco weed	Oxytropis spp.
aster	Aster spp.		long leaf daisy	Erigeron ochroleucus
Balsam-root	Balsamorhiza hookeri		lupine	Lupinus spp.
bastard toadflax	Commandra umbellata		milk vetch	Astragalus spp.
bearberry	Arctostaphylos uva-ursi		miner's candle	Cryptantha nubigina
beard-tongue	Penstemon spp.		Missouri iris	Iris missouriensis
blanket flower	Gaillardia aristata		moss phlox	Phlox hoodii
blazing star	Liatris punctata		mountain douglasia	Douglasia montana
blue phlox	Phlox allysifolia		mountain lomatium	Lomatium cous
bluebell	Campanula rotundifolia		Muhly	Muhlenbergia spp.
blue-eyed grass	Sisyrinchium sarmentosum		mustard	Draba spp.
broom snake weed	Gutierrezia sarothrae		lupine	Lupinus spp.
broom-rape	Orobranche spp.		northern bedstraw	Galium boreale
bupleurum	Bupleurum americanum		owl-clover	Orthocarpus spp.
butte marigold	Hymenoxys acaulis		pasque flower	Anenome patens
chickweed	Cerastium arvense		plantain	Plantago spp.
3 leaf daisy	Erigeron compositus		potentilla	Potentilla spp.
alpine forget me not	Erithrichium elongatum		prairie clover	Petalostemon spp.
American vetch	Vicia americana		prairie groundsel	Senecio canus
arnica	Arnica spp.		prairie sagewort	Artemesia ludoviciana
clover	Trifolium spp.		prairie smoke	Geum triflorum
Colorado rubber plant	Hymenoxys richardsonii		pussy toes	Antennaria rosea
common yarrow	Achillea millefolium		rock cress	Arabis spp.
cushion milk vetch	Astragalus triphyllus		rose	Rosa spp.
dandelion	Taraxicum spp.		sage	Artemesia spp.
death camas	Zygadenus venenosus		sandwort	Arenaria spp.

<b>Forbs/Shrubs continued</b>			townsendia	Townsendia spp.
scarlet gaura	Gaura coccinea		wild blue flax	Linum perenne
shooting star	Dodecatheon spp.		wild licorice	Glycyrrhiza lepidota
shrubby cinquefoil	Potentilla fruticosa		wild onion	Allium spp.
snowberry	Symphoricarpus alba		yellow umbrella-plant	Eriogonum flavum
stemless nailwort	Paronychia sessiliflora		scarlet gaura	Gaura coccinea
stone seed	Lithospermum ruderales		shooting star	Dodecatheon spp.
stonecrop	Sedum spp.			



## APPENDIX C

### Map of the North Continental Divide Ecosystem Grizzly Bear Management Area





## APPENDIX D

### SHPO Letter

Big Sky. Big Land. Big History.  
**Montana**  
**Historical Society**  
January 14, 2014

Rebecca Cooper  
FWP  
1420 E. 6<sup>th</sup> Ave  
Helena MT 59601

RE: BLACKLEAF WMA ADDITION. SHPO Project #: 2014011309

Dear Rebecca:

I have conducted a cultural resource file search for the above-cited project located in Section 14, T26N R8W. According to our records there has been one previously recorded site within the designated search locale. Site 24TT0694 is a historic building foundation located within the designated parcel. The absence of more cultural properties in the area does not mean that they do not exist but rather may reflect the absence of any previous cultural resource inventory in the area, as our records indicated none.

As long as there will be no new ground disturbance or alteration to structures over fifty years of age we feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should structures need to be altered or if cultural materials be inadvertently discovered during this project we would ask that our office be contacted and the site investigated.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at [dmurdo@mt.gov](mailto:dmurdo@mt.gov). I have attached an invoice for the file search. Thank you for consulting with us.

Sincerely,

Damon Murdo  
Cultural Records Manager  
State Historic Preservation Office

File: FWP/WILDLIFE/2014

## APPENDIX E



### 2008 Blackleaf Wildlife Management Area Commercial Use Restrictions

Authority: ARM 12.14.10 –12.14.170; ARM 12.8.211; 23-1-105(1) MCA; 87-1-301(1)(c) MCA; 43 U.S.C. 1201; 43 U.S.C. 1701; 16 U.S.C. 460 L-6(a); and 43 CFR Group 2930

All commercial uses must be conducted in accordance with general Wildlife Management Area (WMA) stipulations and Regulations. Commercial Use Permits do not provide any additional authority beyond the general WMA rules and regulations. All Restricted Use Permits (RUP), excluding still photography, are on a first come, first serve basis with a completed application submitted at least 45 days before use is intended to begin.

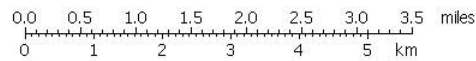
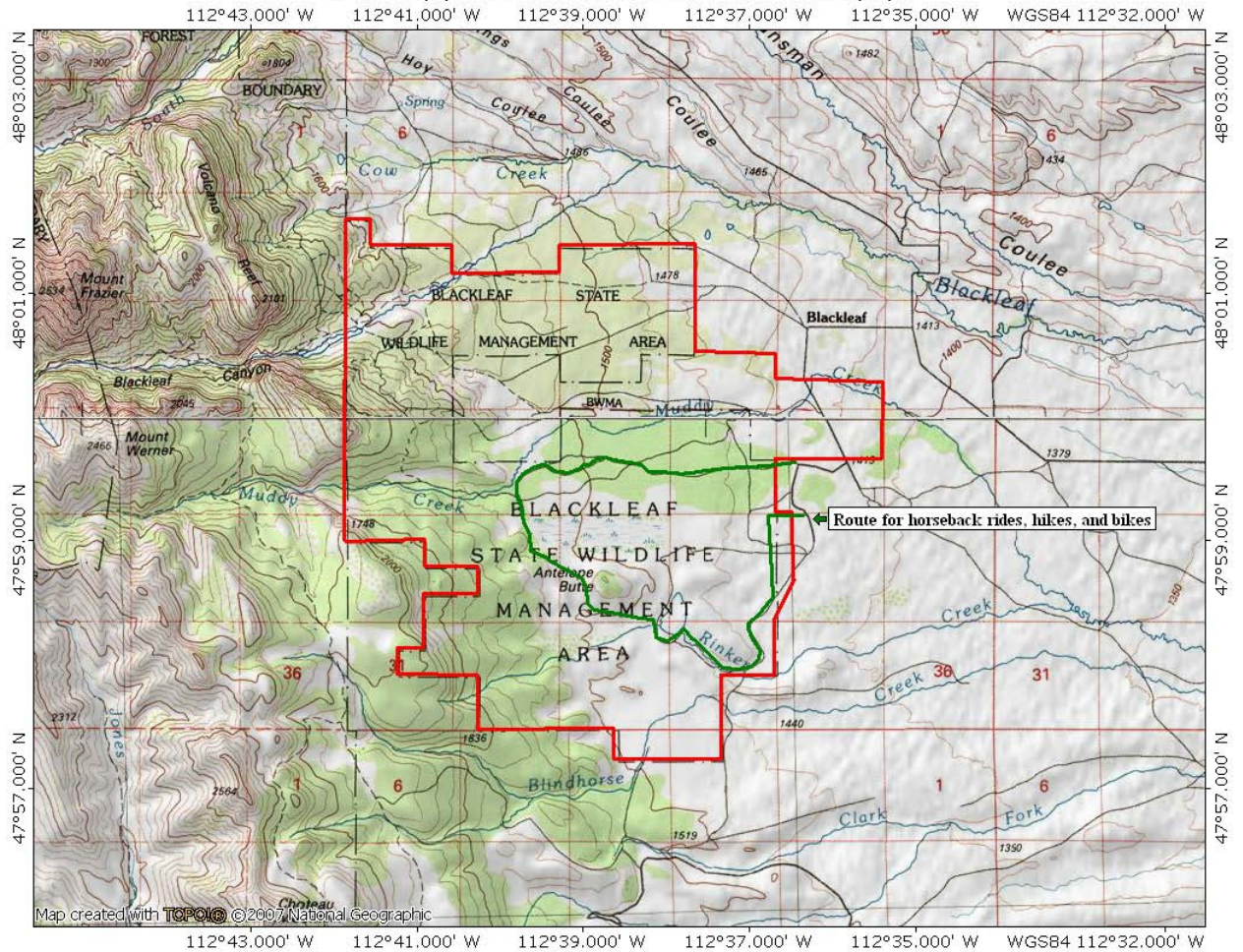
Restricted Use Permit holders must give at least 24-hour notice prior to the date of use during a scheduled week when their RUP is authorized. Security deposits are refundable if the use area is left clean, undamaged and all WMA regulations and stipulations are complied with. In case of cancellation (e.g., rain-out day), if there is no notification from permittee to FWP within 24 hours of cancellation, security deposit will be forfeited.

### Blackleaf Wildlife Management Area

RUP = Restricted Use Permit

Type of Commercial Use	Dates of Permissible Use	Commercial Use Travel and Use Restrictions
Still Photography and Filming	July 1 – August 14 (Excluding Holidays and Weekends)	<u>1 person crew</u> : unlimited RUP numbers (daily or annual RUP required).  <u>Crews greater than 1</u> : 1 RUP per week (daily or annual RUP required – see RUP fee schedule on application).
Trail Rides - Motorized (ATV's, Trail Bikes, etc.)	July 1 – August 14 (Excluding Holidays and Weekends)	Limited to 1 RUP per week. No more than 10 motorized vehicles/group or RUP. - Restricted to driving on established roads - No firearms or hunting
Trail rides/Walks – Non-Motorized (Horseback, bicycles, hikers, etc.)	July 1 – August 14 (Excluding Holidays and Weekends)	Limited to 1 RUP per week. Horseback Rides: No more than 10 horses & riders / RUP. - Restricted to established roads /routes - No firearms or hunting  Bicyclists, hikers: No more than 10 users per RUP. - Restricted to riding or hiking on established roads/routes - No firearms or hunting
Eco-tours (General vehicle based tour groups such as Vans, Buses, etc.)	July 1 – August 14 (Excluding Holidays and Weekends)	Limited to 1 RUP per week. - No more than 3 motorized vehicles/group or RUP. - Restricted to driving on established roads - No firearms or hunting

TOPO! map printed on 01/30/08 from "Bklfroadloop.tpo"



TN/MN  
14½°  
01/30/08